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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/743,030	01/04/2001	Ralf Ruther	P00.1923	3351

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EXAMINER
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SINGH, RAMNANDAN P

ART UNIT	PAPER NUMBER
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2644

DATE MAILED: 07/09/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/743,030	RUTHER, RALF
	Examiner	Art Unit
	Ramnandan Singh	2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 04 January 2001.
- 2a) This action is **FINAL**.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-4 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 04 January 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/1-4-2001.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy in German has been received.

### ***Drawings***

2. In addition to Marked-up copies of Figs. 1, 4-7, applicant is required to submit Replacement Sheets containing the corrected drawing figures. See 37 CFR 1.121(d). Failure to timely submit the proposed drawing will result in the abandonment of the application.

### ***Specification***

3. The disclosure is objected to because of the following informalities:
  - (i) On page 2, line 7, "the user must no longer "must" scroll" . Delete the word "must".
  - (ii) On page 3, line 4, "Figure 3-7show". Replace the word "Figure" with the word "Figures".Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Davidson et al [US 5,774,540].

**Regarding claim 1, Davidson et al teach a telecommunication (i.e. telephone)**

terminal 100 [col. 3, lines 26-43], as shown in Fig. 1, comprising:

a microprocessor (i.e. **CPU 113**);

an input device comprising I/O interface unit 110 and a user interface 200;

at least one of an optical display and acoustic display (i.e. **display 210 based on a liquid crystal device (LCD)**) [Fig. 2; col. 1, lines 20-32; col. 3, lines 44-46], the microprocessor having a menu structure with options which can be called and modified by a user via the input device (i.e. **user interface 200**) [Figures 2-8; col. 2, lines 4-37; col. 3, lines 44-49; col. 4, lines 1-15; col. 5, lines 10-20; col. 11, line 46 to col. 12, line 3]; and

a memory table (i.e. **data memory 114**) having catch-words (i.e. **quick access to all features using a few menu keys**) [col. 2, lines 4-16] and each of the catch-words has an option allocated thereto, the catch-words of the memory table being selected via the input device (i.e. **user interface 200**) and the options being immediately at least one

of called and modified after each of the catch-words has been selected by its confirmation [Fig. 4; col. 4, lines 1-38; col. 5, line 10 to col. 6, line 16].

**Regarding claim 2**, Davidson et al further teach selecting the catch-words of the memory list via at least one of alphanumeric input keys and scroll keys (i.e. **back (221)**, **select (222)**, **next (223)**) [Abstract; col. 2, lines 17-26].

**Regarding claim 3**, Davidson et al further teach editing (i.e. **storing and changing**) at least part of the memory (i.e. **data memory 114**) via the input device (i.e. **user interface 200**) wherein the memory 114 is a random-access memory (RAM) (**which is basically a read/write memory**) [Figs. 1-2; col. 3, lines 33-39; col. 7, lines 28-30].

#### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Davidson et al as applied to claim 1 above and further in view of Martensson et al [US 6,349,212 B1].

**Regarding claim 4**, Davidson et al teach a telephone terminal 100 (i.e. **handset**) with an interactive display using a minimum number of menu keys [Abstract]. No details of the type of the telephone set are disclosed. So one of the ordinary skill in the art would have been motivated to find out any known type of a telephone terminal having similar features, such as the cordless telephone arrangement of Martensson et al, which inherently performs similar functions [col. 6, lines 44-51].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use the Davidson's telephone terminal also as a DECT handset because the Davidson's handset performs the functions similar to that of Martensson et al.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramnandan Singh whose telephone number is (703)308-6270. The examiner can normally be reached on M-F(8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester Isen can be reached on (703)-305-4386. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramnandan Singh  
Examiner  
Art Unit 2644

